

DECLARATION OF TROY HORNSBY

I, Troy Hornsby, pursuant to the provisions of 28 U.S.C. § 1746, declare as follows:

1. I am over 18 years of age. All statements made herein are based upon my personal knowledge, and I am competent to testify hereto.

2. I previously gave a declaration to attorneys representing Anibal Canales, Jr., in connection with federal habeas proceedings. I had previously represented Mr. Canales in his state habeas proceedings. In the prior declaration, I explained that due to financial constraints, I was unable to direct an investigation to develop mitigating evidence that trial counsel did not present at trial. I made a decision to use the limited funds available to me to investigate claims related to Mr. Canales guilt or innocence. I retained Richard Ramsey, a retired law enforcement officer, to assist me by interviewing individuals who may have had some knowledge related to the offense.

3. I also did not conduct an investigation of the jurors due to the same financial constraints. Furthermore, I do not recall anything that would have put me on notice that there were any claims to be raised regarding the jurors. If I had seen any indication that there was a claim regarding the jurors, I would have investigated it.

4. I recall that I filed a motion to obtain discovery regarding gang files. I assumed that any other relevant prosecutorial file would have been disclosed to the trial attorneys because there is generally an open file policy in this jurisdiction.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES THAT THE FOREGOING IS TRUE AND CORRECT.

July 19, 2012, Terrell, Tx
Date/Place


TROY HORNSBY